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January 3, 2003

Cynthia P. Scanio
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January 3, 2003
Date

#5

Serial No: 10/068,067
Filed: February 5, 2002
Applicant: Marc E. Rothenberg, et al.
Title: REGULATION OF CCR3 EXPRESSION
Art Unit: 1642
Examiner: unknown
Atty. Dkt.: CMC/153

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TECH CENTER 1600/2900

Cincinnati, Ohio 45202

January 3, 2003

Commissioner for Patents
Washington, D.C. 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. §§§1.56, 1.97 and 1.98, the references listed on the attached supplemental Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references are attached hereto. No representation is made that the cited art is the only art or that the cited art represents the most material art.

A copy of the International Search Report in the counterpart PCT patent application is enclosed. This Search Report was mailed on December 12, 2002, and cites three references that were not previously cited to the United States Patent and Trademark Office: International Publication No. WO 95/12415; Nirodi, et al. "The role of CDP in the

Negative Regulation of CXCL1 Gene Expression"; and Yamaguchi, et al. "Mechanisms of Transcription in Eosinophils: GATA-1, but not GATA-2, Transactivates the Promoter of the Eosinophil Granule Major Basic Protein Gene".

The Examiner is urged to consider each of the cited references listed on the attached supplemental Form PTO-1449, and to make an independent decision with respect to its materiality.

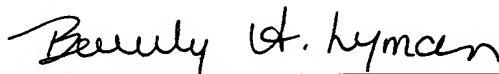
Certification under 37 C.F.R. §1.97(e)

Each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information disclosure Statement.

Applicants do not believe that any fees are due in connection with this submission. However, should any fees be deemed required, the Commissioner is hereby authorized to charge any such fees to Deposit Account 23-3000.

Respectfully submitted,

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SUBSTITUTE FORM PTO-1449
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PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
CMC/153SERIAL NO.
10/068,067SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANT
Marc E. Rothenberg et al.

(37 CFR 1.98(b))

(Use separate sheets if necessary)

FILING DATE
February 5, 2002GROUP
1642

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----|---------------|---------------|----------|-------|----------|-------------------------------|
| | A.A | | | | | | |
| | A.B | | | | | | |
| | A.C | | | | | | |
| | A.D | | | | | | |
| | A.E | | | | | | |
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| | A.K | | | | | | |

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FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
|--|-----|--------------------|---------------------|-----------------------------|------------|------------|-------------------------|
| | A.L | WO 95/12415 | 11 May 1995 | PCT | A61K 48/00 | C07H 21/00 | |
| | A.M | | | | | | |
| | A.N | | | | | | |
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| | A.P | | | | | | |
| | A.Q | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

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|-----|--|
| A.R | Nirodi, et al., <u>The Role of CDP in the Negative Regulation of CXCL1 Gene Expression</u> , Journal of Biological Chemistry, Vol. 276, No. 28, July 13 2001, pp. 26122-26131. |
| A.S | Yamaguchi, et al., <u>Mechanisms of Transcription in Eosinophils: GATA-1, but not GATA-2, Transactivates the Promoter of the Eosinophil Granule Major Basic Protein Gene</u> , Blood, Vol. 91, No. 9, May 1 1998, pp. 3447-3458. |
| A.T | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered.
Include a copy of this form with next communication to applicant.